Birmingham City University

Student Disability and Mental Health Policy

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Student Disability and Mental Health Policy

1. Introduction

1.1. Birmingham City University is committed to creating an inclusive, safe and supportive environment for all disabled applicants and students, including students with mental health difficulties, students living with long-term health conditions and students who are neurodivergent. Our Equality, Diversity and Inclusion strategy sets out our ambition to make our University a fairer organisation where everyone is able to achieve their potential.

1.2. Our approach to disability equality is founded on the following principles:

1.2.1. All University staff are responsible for ensuring we meet our legal obligations towards disabled applicants, students and graduates under the Equality Act 2010 and other relevant legislation, such as the Public Sector Bodies Accessibility Regulations 2018.

1.2.2. We take an anticipatory approach to making reasonable adjustments for disabled people and people with long-term health conditions, and an approach of inclusive design of our service and facilities to reduce over time the requirement for many reasonable adjustments.

1.2.3. Support for disabled students at BCU follows the student journey, from application to the end of the student's course and is available throughout that time.

1.2.4. That disabled people are disabled by society and the physical and attitudinal barriers which society has erected throughout history to deny disabled people equality of opportunity in all areas of life – this is the social model of disability.

1.2.5. There are a range of barriers, external to the University, which make accessing support challenging for disabled students and applicants, such as the process for applying for Disabled Students' Allowances (DSA) and access to information about support at university. The University is committed to guiding students through these processes wherever possible and has two teams dedicated to doing so as part of their role. These are the Student Inclusion Team and the Mental Health and Wellbeing Team. Staff within these teams are also active members of their professional bodies, which lobby for change in areas known to make accessing state support difficult for disabled students.

1.2.6. That a 'whole university' approach will achieve the best outcomes for disabled students. Birmingham City University has signed up to the Disabled Student Commitment and will use this framework to identify improvements we can make to the experience of disabled applicants, students and graduates. We are committed to ensuring all staff working with students understand the importance of inclusive curriculum design, the duty to make reasonable adjustments, the existence of support services and how to help students access them, and the importance of providing multiple opportunities for students to tell the University about a disability and to feel comfortable to do so. We do this by delivering training to staff on these areas, both scheduled and bespoke. Training may be provided by our People and Culture department, the relevant support team or by other colleagues in the University who are responsible for the professional development of staff.

2. Scope

2.1. This policy and associated guidance will explain the University's responsibilities towards disabled applicants, enrolled students and graduates, what support is available to them and how the University makes decisions about what support will be provided and whether a requested or recommended adjustment is reasonable for the University to make.

2.2. An applicant, student or graduate is disabled if they meet the definition of disability in the Equality Act 2010, which states that a person is disabled if they have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities. It is not necessary for an applicant, student or graduate to have a formal diagnosis to be considered disabled under the Equality Act 2010, where they can provide sufficient information about the impact of their difficulties upon their normal daily activities.

2.3. Disabled students (including students with mental health difficulties) to whom this policy, and the support described within it, applies are:

2.3.1. Enrolled students on full or part-time, foundation, modular, undergraduate and postgraduate (taught and research) courses.

2.3.2. Enrolled students who are also employed by BCU, directly by the University or as agency workers, in relation to the services they receive as a student at BCU.

2.4. This policy also applies to the following disabled students, however, support available or the way in which it is provided will differ:

2.4.1. Enrolled EU / international students, enrolled students on a course of less than one year's duration, enrolled students completing less than 25% of their course each year, and enrolled students who are completing assessments only and not attending – these students will receive reasonable adjustments from the University but are not entitled to Disabled Students' Allowances from the UK government. Where support that may be required has a cost, the University will consider whether it would be reasonable for it to fund the support.

2.4.2. Enrolled students at Birmingham City University International College – BCUIC is a responsible body delivering education services to students and as such it is subject to the duty to make anticipatory reasonable adjustments for its students by virtue of section 91 of the Equality Act 2010. As international students they will not be entitled to Disabled Students'

Allowances from the UK government, therefore where support that may be required has a cost, BCUIC will consider whether it would be reasonable for it to fund the support. BCU will not provide funding for adjustments or support for BCUIC students.

2.4.3. Enrolled students on Degree Apprenticeships - these students will receive reasonable adjustments to their teaching and assessment at the University but are not entitled to Disabled Students' Allowances. Support for apprentices which has a cost attached (such as study skills support) is funded by the Department for Education's Adult Skills Fund and will be arranged by the University. Reasonable adjustments for apprentices in their workplace setting are the responsibility of their employer.

2.4.4. Enrolled students studying for BCU awards at partner institutions (home and overseas) – these students should access disability support at the institution they are attending, except in those instances where the contract between Birmingham City University and the institution stipulates service provision by the University which has been specifically negotiated and agreed. Their institution will provide any relevant support. Where the student may be interacting with services provided directly by Birmingham City University or accessing the University's facilities, the University will make any adjustments considered to be reasonable.

2.5. This policy also outlines the University's approach to disabled applicants or enquirers considering applying to study at the University, and the assistance and support available to them.

2.6. This policy applies to disabled graduates of Birmingham City University insofar as they access services provided to graduates, such as graduation ceremonies, alumni activities and services from the Careers and Student Opportunities department.

2.7. Students who have permanently withdrawn from their course or graduated, are not entitled to use the University's disability support services or mental health and

wellbeing support services. Students who are on Break in Studies may request an appointment with the relevant support team specifically to help them prepare for a return to studies and assess what adjustments they may need. Support to help students prepare to return will not include counselling, ongoing mental health or wellbeing support, or one-to-one study or mentoring support. This type of support is funded by Disabled Students' Allowances or, in the case of apprentice learners, funding from the Department of Education to which students who are on a Break in Studies are not entitled.

3. Legal and other regulatory frameworks

3.1. The legal and regulatory frameworks which apply to the University's provision of support for disabled students and the ways in which it ensures disabled applicants and students do not experience discrimination in accessing the University's service and facilities are as follows.

3.2. The Equality Act 2010, which makes it unlawful for the University to discriminate against or victimise a disabled student or applicant:

3.2.1. in the arrangements it makes for deciding who is offered admission as a student
3.2.2. as to the terms on which it offers to admit the person as a student
3.2.3. by not admitting the person as a student
3.2.4. in the way it provides education for the student
3.2.5. in the way it affords the student access to a benefit, facility or service
3.2.6. by not providing education for the student
3.2.7. by not affording the student access to a benefit, facility or service
3.2.8. by excluding the student, and
3.2.9. by subjecting the student to any other detriment.

3.3. The most important duties we must adhere to in ensuring we do not discriminate against a disabled student or applicant are:

3.3.1. the duty to make changes to provisions, criteria or practices, the provision of auxiliary aids and services and making adjustments to physical features. This is called the duty to make reasonable adjustments and is anticipatory. This means the University must consider in advance the range of barriers that disabled people could experience, what reasonable adjustments could be made to avoid or remove the barrier and have systems in place for making those adjustments in a timely manner.

3.3.2. The Public Sector Equality Duty, which requires public bodies to eliminate discrimination, advance equality of opportunity and foster good relations. The duty means the University must design services and facilities inclusively to reduce the number of individual adjustments which disabled people must request and enable equality of access and opportunity for all.

3.4. The Public Sector Bodies Accessibility Regulations 2018, which require all Public Sector websites and mobile applications to be made accessible, by meeting the latest published version of the Web Content Accessibility Guidelines and publishing a compliant accessibility statement.

3.5. The Office for Students (OfS), which is the independent regulator of higher education in England. The OfS requires every university to have an Access and Participation Plan which shows how the university will address the first of the four objectives of the OfS, which is that *'all students from all backgrounds, with the ability and desire to undertake higher education, are supported to access, succeed in, and progress from higher education'*. The University is required to report annually on our progress towards the targets in our Access and Participation Plan.

3.6. The Quality Assurance Association (QAA), the independent body which monitors and advises on standards and quality in UK higher education. The revised UK Quality Code for Higher Education includes an ‘Expectation’ that from admission to completion all students are provided with the support they need to succeed in and benefit from higher education.

3.7. The Quality Assurance Framework (QAF) for the provision of Non-Medical Help. This ensures the quality of specialist one-to-one support the University provides for disabled students, where the support is funded by the student's Disabled Students' Allowances. Where specialist support such as a study skills tutor, mentor or British Sign Language Interpreter is provided by the University, we must meet the standards in the Framework. These relate to matters including the qualifications of support workers, accurate record-keeping and the training provided to support workers. The University's performance against the QAF is audited by the Department for Education.

3.8. The Education (Student Support) Regulations 2011, subsequent amendments and the explanatory Disabled Students Allowance Guidance Chapters. The University must provide support in accordance with the regulations and explanatory guidance as they relate to the provision of support funded by Disabled Students' Allowances. An example of this is the type of support which may be provided to a student using Disabled Students' Allowances.

3.9. The Office of the Independent Adjudicator (OIA), which is the independent body set up to review student complaints about higher education providers in England and Wales. The OIA's Good Practice Framework provides advice on supporting disabled students – the University endeavours to incorporate the good practice described in its services for students.

4. Roles and responsibilities

4.1. In providing the support and meeting the principles and legal requirements outlined in this policy, the roles and responsibilities of the different parties are as follows. In the rest of this document, the Student Inclusion Team and Mental Health and Wellbeing Team will be referred to as *the relevant support team.*

4.2. The Student Inclusion Team (formerly the Disability Support Team)

This team is responsible for:

4.2.1. Providing advice and assistance on the support available and on preparing for university, to disabled applicants and those enquiring about applying to Birmingham City University.

4.2.2. Assessment of the support requirements of disabled applicants and students, recommending the reasonable adjustments they will need to their school via a Disability Support Summary, with the consent of the student, and provision of follow-up guidance to staff and students where required.

4.2.3. Support for disabled students applying for Disabled Students' Allowances, including liaison with their funding body where the student has consented to this.

4.2.4. Implementation and administration of one-to-one support which is funded by Disabled Students' Allowances where we are the named supplier of support, and liaison with external agencies who have been appointed by the student's funding body to provide support, where the student has asked us to assist with this

4.2.5. Arrangement of one-to-one support for disabled students on Degree Apprenticeship courses where the funding is provided by the Department for Education's Adult Skills Fund. The financial administration of the funding is the responsibility of the student's school and the University's Department of Student and Academic Services.

4.2.6. Support, advice and training for colleagues across the University on their responsibilities under the Equality Act 2010, on supporting disabled students and on designing an inclusive curriculum.

4.2.7. Liaison with the student's school where the student must complete compulsory work placements, to recommend reasonable adjustments for them on placement, via a Placement Action Plan, which is shared with the placement provider by the student, if they wish to do so. In exceptional circumstances, the reasonable adjustments likely to be recommended may

need to be discussed by the University with the placement provider in advance of the placement beginning, with the student's consent.

4.2.8. Screening students for indications that they may have a Specific Learning Difficulty (SpLD, such as dyslexia, dyspraxia and ADHD) and assisting students to access diagnostic assessments, where the screening results indicate the need for a diagnostic referral.

4.2.9. Liaison with other departments in the University to ensure the student receives the support and adjustments they need, such as the Accommodation Team.

4.3. The Student Inclusion Team operates between 9am – 5pm, Monday - Friday, in-person (via drop-ins and appointments), by telephone, by email and online via a secure platform such as MS Teams.

4.4. The Student Inclusion Team is not responsible for:

4.4.1. Arrangement or provision of personal care for disabled students who need support to live independently in university accommodation or with personal tasks during the day, such as using the toilet, cooking and eating. We will advise students and applicants on applying to their local authority for this funding.

4.4.2. Arrangement of support in the workplace for students on Degree Apprenticeship courses. We will advise students on applying for Access to Work funding. The provision of support in the workplace is normally the responsibility of the employer.

4.4.3. The provision of support, advice or SpLD screening for Birmingham City University employees who may be disabled, unless they are also enrolled students of the University. Employees who require this assistance should speak to their line manager or contact the People and Culture Department

and refer to the Disability and Reasonable Adjustments at Work information on iCity.

4.4.4. Arrangement or provision of support or adjustments for pregnant students or students with temporary difficulties caused by an injury which is likely to last less than 12 months. The Mental Health and Wellbeing Team will assist in these cases. Where a student's injury or health condition seems likely to last longer than 12 months, and may therefore be a disability, the relevant support team will assess what adjustments and support may be appropriate.

4.5. The Mental Health and Wellbeing Team

This team is responsible for:

4.5.1. Provision of one-off or ongoing support and advice to students with any wellbeing concern or mental health difficulty, via Wellbeing Advisers and Mental Health Advisers. This includes arranging temporary adjustments (including adjustments for pregnant students and those with temporary conditions), reasonable adjustments via a Disability Support Summary and/or Placement Action Plan and may include liaison with NHS and external support services.

4.5.2. Provision of counselling from qualified Counsellors using a One-At-A-Time (OAAT) model of counselling. There is no limit on the number of counselling sessions a student may attend but this will be subject to clinical assessment. Up-to-date wait times for services can always be found on the Mental Health and Wellbeing Team's iCity site.

4.5.3. Provision of access to Cognitive Behavioural Therapy (CBT) with a qualified CBT Therapist. This is an evidence-based therapy that is effective in treating anxiety and depression.

4.5.4. Responding to and managing safeguarding concerns relating to students as per the Safeguarding Policy and Process. During working hours, a member

of the team is responsible for receiving and responding to safeguarding reports and (9am-5pm, Monday-Friday) ensuring all necessary actions are completed.

4.5.5. Provision of a Duty Worker system to ensure that students in distress or in crisis (non-emergency) can access support during working hours. A duty worker is available from Monday to Friday 9 - 5pm. Contact details are available on the team's iCity site.

4.5.6. Provision of advice, guidance and training to colleagues across the University on supporting students with mental health difficulties and wellbeing concerns.

4.6. The Mental Health and Wellbeing Team is not responsible for:

4.6.1. Provision of an out-of-hours service. The Mental Health and Wellbeing Team operates from Monday to Friday, 9 - 5pm. Outside these times Out of Hours Support information is available on the team's iCity site.

4.6.2. Provision of an emergency response to a student in immediate danger. Where a student is thought to be at immediate risk to themselves, to other people or from others, the emergency services should be contacted by calling 999. The duty worker or safeguarding clinician can be contacted during working hours to provide support to the student and/or staff member after the emergency services have been contacted.

4.6.3. Provision of a full assessment and/or ongoing urgent intervention for a student experiencing a mental health crisis. Whilst the team provides initial crisis support where essential, if a student has an urgent requirement for an ongoing mental health intervention they should be supported to access this from the NHS. The NHS have multidisciplinary teams which include medically trained staff who are best equipped to support individuals during times of crisis.

4.7. Academic staff

Academic staff who work with students are expected to:

4.7.1. Ensure they understand their responsibilities towards disabled applicants and students under the Equality Act 2010 so that they do not discriminate against an individual for a reason related to their disability; the concept of reasonable adjustments; and the importance of designing inclusive teaching and assessments.

4.7.2. Ensure they are aware of the disability and mental health support available at the University; how to spot the signs that a student may need support; and how to signpost or refer to these services. Once a student has told a university staff member about a possible disability or health condition, or a member of staff has become aware of difficulties which may indicate a disability or health condition (including a mental health condition), the University is 'deemed to know'. Therefore, it is that University staff member's responsibility to act on the information by signposting or supporting the student to contact the relevant support team and staying in touch with the student to provide further encouragement, if needed, to engage with support services. It is not necessary for a student to provide medical evidence before we consider what adjustments they may require. Where a student does not wish to access disability or mental health support, it is the member of staff's responsibility to seek advice from the relevant support team about making reasonable adjustments for the student. Where a student wishes to know how the relevant support team will handle their personal information, they should be signposted to the relevant Privacy Notices. Further steps may include implementing reasonable adjustments where the student does not want to engage with the relevant support team. Training and advice is available for all academic staff, and details can be found on the Learning and Organisational Development pages on iCity or by contacting the relevant team.

4.7.3. Ensure they know how to access Disability Support Summaries on the University's student records system and check weekly for new Disability Support Summaries which may apply to students they are teaching or whom are their personal tutees.

4.7.4. Make the reasonable adjustments recommended in a student's Disability Support Summary or seek advice from the relevant support team if they have difficulties doing so.

4.7.5. Be aware that where a student appears to have a disability which is affecting their studies, a Disability Support Summary does not have to be in place before reasonable adjustments under the Equality Act 2010 can be made. Where advice is needed on what adjustments to make, the relevant support team should be contacted without delay.

4.7.6. Contribute to the creation of an inclusive and supportive environment in which students feel comfortable to tell them or someone else in the University about a disability, long-term health condition, Specific Learning Difficulty or mental health condition and seek support, by embedding opportunities at all stages of the student lifecycle for a student to do so.

4.7.7. Design inclusive teaching and assessment activities to reduce the requirement for reasonable adjustments and help the University to meet the Public Sector Equality Duty. Information about training for staff can found on the Learning and Organisational Development pages, on the relevant support teams pages on iCity, or by emailing the relevant support team.

4.7.8. Check the University's student records system to see if personal tutees have a Disability Support Summary and invite them for a conversation about what support they need and any concerns they may have.

4.8. Professional services staff

Professional services staff should:

4.8.1. Ensure they are aware of the disability and mental health support available at the University; how to spot the signs that a student may need support; and how to signpost or refer to these services. Once a student has told a university staff member about a possible disability or health condition, or a member of staff has become aware of difficulties which may indicate a disability or health condition (including a mental health condition), the University is 'deemed to know'. Therefore, it is that University staff member's responsibility to act on the information by signposting or supporting the student to contact the relevant support team and, where possible in the case of professional services staff, staying in touch with the student to provide further encouragement, if needed, to engage with support services. It is not necessary for a student to provide medical evidence before we consider what adjustments they may require. Where a student does not wish to access disability or mental health support, it is the member of staff's responsibility to seek advice from the relevant support team about making reasonable adjustments for the student. Where a student wishes to know how the relevant support team will handle their personal information, they should be signposted to the relevant Privacy Notices. Further steps may include implementing reasonable adjustments where the student does not want to engage with the relevant support team. Training and advice is available for all professional services staff, and details can be found on the Learning and Organisational Development team and relevant support team pages on iCity or by contacting the relevant support team.

4.8.2. Ensure they understand their responsibilities towards disabled applicants and students under the Equality Act 2010 so that they do not discriminate against an individual for a reason related to a disability they have told us about, and the understand concept of making anticipatory reasonable adjustments and where this duty applies to their work.

4.8.3. Ensure they are aware of the disability and mental health support available at the University and how to signpost or refer to services to these services.

4.8.4. Provide training and support to colleagues where appropriate in making anticipatory reasonable adjustments for disabled students.

4.8.5. Design policies, systems, processes and services (including course delivery and assessment) to be inclusive, whether designing for the first time or reviewing, including undertaking Equality Impact Assessments.

4.9. Students and applicants

Birmingham City University students and applicants are strongly encouraged to tell the University at the earliest opportunity if they consider they have a disability, long-term health condition, Specific Learning Difficulty or mental health difficulty and require support. They are also encouraged to apply for Disabled Students' Allowances as soon as possible and the relevant support team will be pleased to help them with this. Students and applicants requesting disability support have an important role to play in arranging their support, and can do so by:

4.9.1. Providing the requested medical evidence or other information about their difficulties as soon as possible (more information on what may be requested is in section 7.3). Certain types of support and reasonable adjustments cannot be arranged until the University has this information. Where a student or applicant does not have medical evidence or other information about their difficulties, they should talk to the relevant support team so that we can assess their needs. Applicants with offers will receive emails from our Student Records System and our Pre-Entry Disability Adviser, inviting them to engage with the relevant support team about what reasonable adjustments and support they will need, well before enrolment on their course.

4.9.2. Applying for Disabled Students' Allowances (if eligible) as soon as possible. The relevant support team will support students in making their application.

4.9.3. Providing any information requested in a timely manner, such as confirming which external parties they are happy for the relevant support teams to liaise with and confirming agreement or otherwise with the Disability Support Summary drafted for them.

4.9.4. Where they are on or applying for a course which is subject to Professional, Statutory and Regulatory Body (PSRB) requirements, notifying the University

of any disability which may impact on their ability to complete the course, participate in any compulsory placement and to be fit to practise on completion of their studies. Students will have the opportunity to have a Placement Action Plan drawn up, recommending reasonable adjustments for their compulsory placement. Where reasonable adjustments are in place, students are still required to meet all relevant academic, practical and professional competence standards.

5. Disabled applicants

5.1. Disabled applicants to Birmingham City University are strongly encouraged to tell the University about their disability as soon as possible. They may do this by contacting the relevant support team (contact details on the BCU website) or completing the online profile form which can be found on the disability support pages on the BCU website. Individuals considering applying are encouraged to contact the relevant support team to find out about support at the University. The pages dedicated to disability and mental health support on the University website provide information on how to arrange a discussion about support.

5.2. The decision about whether to offer an applicant a place at Birmingham City University is made on academic grounds only. An applicant's disability and the support they may require does not affect this decision. Any decision regarding a disabled applicant will take into account the University's Contextual Offers Strategy, which supports our targets on increasing participation from under-represented groups in higher education. Applicants for courses which are subject to PSRB requirements are required to notify the University of any disability which may impact on their ability to complete the course, participate in any compulsory placement, and to be fit to practise on completion of their studies.

5.3. Disabled applicants are strongly encouraged to take up opportunities to find out as much as possible about the course/s they are interested in, such as attending open days and offer holder days, so that they can consider what support they might need and talk about this with the relevant support team.

5.4. Where an applicant tells the University about a disability, Specific Learning Difficulty, long-term health condition or mental health difficulty, they will be contacted by the University's Pre-Entry Disability Adviser if they receive an offer from the University. The following is available to disabled applicants prior to enrolment with the University:

5.4.1. Advice and assistance on arranging support and applying for Disabled Students' Allowances.

5.4.2. Reasonable adjustments for interviews and tests (student recruitment activities) to be taken during the application process, where applicable. Reasonable adjustments will be made on a case-by-case basis depending on the circumstances of the applicant and the barriers which need to be removed for the applicant to perform to the best of their ability. Non-exhaustive examples of reasonable adjustments include 25% extra time for tests and provision of a British Sign Language Interpreter for an interview. The University will not usually require medical evidence to accompany a request for reasonable adjustments to recruitment activities, however, should the applicant become an enrolled student at the University, they will usually be expected to provide medical evidence to enable full assessment for support and reasonable adjustments. Where the University is not sure what adjustment can be made to a recruitment activity or needs to assess whether an adjustment requested is reasonable, we may request medical evidence from an applicant, to help make this assessment.

5.4.3. The opportunity to meet a member of the relevant support team to discuss support, at an open day, offer holder day, or in an appointment at another time.

5.4.4. The opportunity to attend events for disabled applicants to find out more about preparing for university and to attend transition events shortly before beginning their course.

5.4.5. Screening at the University for a Specific Learning Difficulty (SpLD) if the applicant has no prior evidence of a possible SpLD. A screening identifies indicators of a possible SpLD and is not a diagnosis. If an applicant is advised, following the screening, to seek a diagnosis, they must fund this if they wish to apply for Disabled Students' Allowances (or see section 12 below). The University can implement support and reasonable adjustments before a diagnosis is made, but Disabled Students' Allowances cannot be applied for without a diagnosis. Applicants are strongly advised not to wait until enrolling at the University to seek a diagnostic assessment, as this will significantly delay their application for Disabled Students' Allowances and thus, the provision of one-to-support and equipment.

5.4.6. Assessment by the relevant support team of the reasonable adjustments the applicant will need on their course and support documents which will be drawn up in advance of enrolment, where requested medical evidence has been supplied.

5.5. The assessment of adjustments a disabled applicant to the University may require is separate to the consideration of whether they should be offered a place at the University. However, we ask disabled applicants to fully engage with the assessment process and provide full relevant information about the barriers which they may encounter and the effect these may have on them as a student at BCU. This will enable a full assessment to take place of all the potential reasonable adjustments and support that may be needed. Applicants for courses which are subject to PSRB requirements are reminded that they are required to notify the University of any disability which may impact on their ability to complete the course and to be fit to practise on completion of their studies.

5.6. Where, after thorough consideration of the information provided and consideration of all possible reasonable adjustments, the University finds that it cannot support or make reasonable adjustments for an applicant, the University will ensure the applicant understands the implications of this and that if they fail to meet any required

competence standards or make sufficient progress they may be withdrawn. At this point the applicant may choose not to take up the place.

5.7. Any delay in the University receiving full information about the applicant's disability may delay the assessment and implementation of support and reasonable adjustments. Any delay may also affect matters such as placement where information has to be considered by third parties, such as placement providers.

5.8. Disabled applicants to vocational courses such as nursing and teaching should not regard their disability as a barrier to studying for and entering these professions and are strongly encouraged to talk to the relevant support team and course team about any concerns.

5.9. The requirements of the relevant PSRBs must be met by all applicants and students, regardless of disability, including the requirement to be *fit to practise*, which means being competent, responsible and having the characteristics needed to work in a particular profession. All applicants for courses leading to registration or eligibility for registration with a PSRB in the following areas of practice will be required to undertake health checks (this list is not exhaustive):

5.9.1. Nursing and midwifery
5.9.2. Healthcare professions
5.9.3. Teaching

6. Disclosure and confidentiality

6.1. The University aims to encourage students to tell us about a disability, long-term health condition, Specific Learning Difficulty or mental health difficulty at every stage of their journey. To that end, we take a 'whole university approach' to ensuring that colleagues across the institution are aware of the support available and how students can access it, by providing training, information and advice via the relevant support teams.

6.2. In responding to a student telling us about a disability, the University is mindful of its responsibilities under the UK General Data Protection Regulation (GDPR). We may share the data of an applicant, enrolled student or graduate where required or permitted by Law.

6.3. The University acknowledges that students may tell us about a disability at any stage in their course for a variety of reasons, for example, not realising prior to enrolment that they would need support at university due to a disability or becoming disabled during their course.

6.4. Where an enrolled student tells the University about a disability after they have taken assessments and feels their performance may have been affected by a disability for which they did not have support at the time of the assessment, they may make a claim for Extenuating Circumstances (EC) to allow them to repeat the assessment or request a re-mark (in specific circumstances). This measure applies for their current academic year only and does not apply to assessments taken in previous academic years. Thereafter, ongoing support should be sought from the relevant support team. EC claims cannot normally be made for long-term or ongoing disabilities except where, as in the situation described here, it is the first time the student has made the University aware of a disability and there is no support in place yet, or where a long-term condition for which support is already in place has suddenly worsened (Principle 14 of the Academic Regulations).

6.5. The nature of the service provided to disabled students and applicants by the relevant support team is only shared on a limited basis; this includes any medical or other information they have provided, such as a Disabled Students' Allowances Assessment of Needs report or Education, Health and Care Plan. BCU will not share information about the service provided to individual students with anyone outside of the relevant departments, services and within BCU unless it is with the student's explicit consent or is required or permitted by law, in which case we will only share the minimum amount necessary. Students can find out more about the way we use their information by reading the relevant privacy notices.

6.6. This includes situations where a member of staff has referred or signposted a student to the relevant support team – information about subsequent actions taken will only be provided to that member of staff where appropriate.

6.7. Where details of an enrolled student's contact with the service are disclosed without consent this would be for the purpose of providing support for their disability or medical condition or safeguarding them in relation to significant risk or concern for them or another person. The information released would be kept to the minimum to achieve the purpose. Information of this nature may be disclosed to, university-owned accommodation services, a relevant team within the University, the emergency services, NHS services, GP practices, and the student's emergency contacts. This list is not exhaustive, and the University may need to disclose information to other parties, where necessary.

6.8. A student's emergency contact or next of kin would usually only be contacted in a situation where there was significant concern for the safety of the student or another person, and direct contact with the student had either not been possible or was not sufficient to ensure this safety. Students may provide the relevant support team with written consent should they wish the team to contact, or discuss their mental health and wellbeing with, a nominated contact on a more routine, non-emergency basis. Where BCU communicates with nominated person(s) it will keep the student included in the communications wherever possible. The relevant support teams expect students to engage as much as possible in arrangements about their disability support.

6.9. Applicants and enrolled students have the right to access any information held about them by the relevant support team and can find out how to do so by reading our Subject Access Request Procedure. The Student Inclusion Team and the Mental Health and Wellbeing Team hold students' and applicants' personal information within a secure dedicated database and case records in line with the University's data retention schedule.

6.10. A student's Disability Support Summary (listing the reasonable adjustments they are entitled to) is released to relevant academic staff and course administrators where BCU considers it appropriate to do so.

7. Assessing support requirements

7.1. To help the University to confirm that a student is disabled under the definition of the Equality Act 2010 and enable the University to assess accurately what support and reasonable adjustments they will need, a student telling us about a disability, long-term health condition, SpLD or mental health difficulty is usually expected to provide medical evidence. Failure to provide the requested medical evidence may mean that the relevant support team is unable to accurately assess for and consistently implement the support and adjustments which would enable the student to participate fully in their course. Disabled students and applicants will be required to provide medical evidence to their funding body if they wish to apply for Disabled Students' Allowances.

7.2. Where we are unable to assess a disabled student or applicant's reasonable adjustment requirements without medical evidence, the medical evidence must be provided in English. Where medical evidence needs to be translated into English, the disabled applicant or student is responsible for arranging and paying for this. The medical evidence must be translated by a qualified translator who has certified the copy to confirm their qualification as a translator.

7.3. The types of information which may be accepted by the University and by the student's funding body as medical evidence include:

7.3.1. A letter from a consultant, GP or other qualified medical professional that gives a diagnosis, if one has been made, a description of the effects upon the student's day-to-day activities and how long the student has been experiencing these effects. The medical evidence does not need to include a diagnosis, if it has not yet been possible to make one; we are able implement reasonable adjustments if we have sufficient information about the effects

upon the student's day-to-day activities. Where a student is requesting reasonable adjustments for a mental health difficulty, the letter should be as recent as possible. Where a letter does not give sufficient detail or the relevant support team considers it is too old to give an accurate view of the student's current needs, we may ask the student or applicant to provide more recent or attend an appointment with the Mental Health and Wellbeing Team so we can understand their needs further.

For students or applicants requesting reasonable adjustments due to a Specific Learning Difficulty (SpLD), such as dyslexia or dyspraxia, a diagnostic assessment report by an Educational Psychologist or a specialist teacher assessor, which diagnoses a SpLD. In the absence of this, information from screenings at school, college or carried out by this University or a previous university the student has attended, or applications for access arrangements, may be used to implement reasonable adjustments. It is not possible to apply for Disabled Students Allowances without a formal diagnosis and the University will arrange for a dyslexia diagnostic assessment for the student where the criteria in section 7.7 are satisfied.

7.3.2. An Education, Health and Care Plan (ECHP), where the plan provides sufficient detail to enable the relevant support team to assess the support requirements of the student or applicant. Where an EHCP does not give sufficient or appropriate information to enable the relevant support team to do this, we may ask the student or applicant to provide more detailed evidence from a qualified medical professional. Whilst the University can accept EHCPs as medical evidence in some cases, enabling the implementation of reasonable adjustments at university, funding bodies who administer Disabled Students' Allowances will accept these in limited circumstances only and may request other types of medical evidence described above, even where an EHCP is provided.

7.3.3. A report diagnosing an autistic spectrum condition or ADHD, written by a qualified individual such as a psychiatrist, clinical psychologist or a multi-disciplinary team, a screening and/or a letter confirming a referral for a diagnosis from either the student's GP or the referral service. In the absence of any of these, a screening carried out at the University may be used for the implementation of reasonable adjustments. A screening cannot be used to apply for Disabled Students' Allowances but a GP letter containing a working diagnosis may be accepted by Student Finance England as evidence for an application. The Student Inclusion Team can advise the student further on all these matters.

7.4. An Assessment of Needs Report carried out by an independent needs assessor, for the purposes of recommending support to be funded by Disabled Students' Allowances, may be used as medical evidence where it provides sufficient detail to enable the relevant support team to assess the support requirements of the student or applicant, where there is no other suitable information and where the student meets with an adviser from the relevant support team to discuss their support requirements..

7.5. Where a disabled student or applicant does not have any written evidence as described above, the relevant support team will meet with them to build a picture of their difficulties and assess what adjustments would be reasonable. A disabled applicant or student would still require formal medical evidence to apply for Disabled Students' Allowances.

7.6. The University is not obliged to fund disabled students to obtain medical evidence and where obtaining medical evidence will incur a cost, this is the student's responsibility. However, we recognise that paying for medical evidence can be a barrier to students accessing the support they need for their studies, therefore where students may not be able to meet the whole cost of paying for medical evidence (such as a diagnostic assessment for autism or ADHD or a doctor's letter), they will be able to make a means-tested application to the University's Financial Assistance Fund.

7.7. Where students wish to investigate whether they have dyslexia, following enrolment at BCU or at any time during their course, they can request a free dyslexia screening at the University. A screening is not a diagnosis but provides indications of whether a student may have dyslexia. Where the screening indicates a moderate or high possibility that the student has dyslexia, they will be referred to the University's in-house SpLD assessor for a free diagnostic assessment or to an external assessor who may carry out assessments on the University's behalf, where the conditions below are satisfied:

7.7.1. there is time remaining on the student's course for them to apply for and benefit from support funded by Disabled Students' Allowances.
7.7.2. they are not already in receipt of appropriate support and further medical evidence would provide access to additional beneficial support they do not already have.
7.7.3. sufficient money remains in any specific financial assistance funds identified for this purpose.

7.8. The sole purpose of enabling enrolled students to have a free dyslexia diagnostic assessment at the University is to remove barriers to studying and enable students to apply for Disabled Students' Allowances. In circumstances where the Student Inclusion Team has screened a student and implemented a Disability Support Summary but considers they cannot benefit from funding for a diagnostic assessment, the student's Disability Support Summary will remain in place for the duration of their course at BCU.

7.9. Where a student or applicant would like existing medical evidence reviewed to check its suitability for support at university and for their Disabled Students' Allowances application, they are invited to send scanned copies by email to the relevant support team for advice. If additional or different evidence is required, the relevant support team will advise the student or applicant on what they need to do.

8 Reasonable adjustments

8.1 The University aims to design teaching, assessments, services, facilities, policies and procedures to be inclusive. This includes carrying out equality impact assessments to

ensure decisions do not discriminate against people based on any protected characteristics. If it is found that, despite inclusive planning and designing, a disabled student or applicant would be caused a substantial disadvantage, the duty to make reasonable adjustments will apply.

8.2 The reasonable adjustments and support provided by the University will be directly related to the student's studies and enabling them to access the University's teaching and other facilities. The University is not required to provide:

8.2.1 support the disabled student would need regardless of whether they were studying or not, such as personal care during the day or personal care to live in university accommodation, or equipment such as a wheelchair.

8.2.2 funding for study support where the student is eligible for Disabled Students' Allowances and that support can be funded by Disabled Students' Allowances.

8.3 Section 20 of the Equality Act 2010 requires the University to make reasonable adjustments where a provision, criterion or practice, any physical feature of the education provision or the absence of an auxiliary aid or service puts disabled students at a substantial disadvantage compared with students who are not disabled. Non-exhaustive examples of adjustments which the University may make, following an assessment of the student's needs, are:

8.3.1 Extra time for interviews, tests or other activities designed to assess disabled people applying to study at the University.

8.3.2 Support to enable attendance at open days or applicant events, such as the provision of a British Sign Language interpreter.

8.3.3 Extra working days (days when the University is open) for coursework, calculated by assessment word count.

8.3.4 Extra working days (days when the University is open) for pre-submission deadlines, such as the deadline by which feedback on a draft assessment must be sought.

8.3.5 25% extra time for exams; more than 25% extra time may be considered exceptionally, where medical evidence is provided which clearly supports this and where no other adjustments would remove the substantial disadvantage.

8.3.6 Adjustments to the conduct of and arrangements for Vivas (oral examinations on a dissertation or PhD thesis) and Progress Reviews (for postgraduate research students).

8.3.7 Adjustments to the mode of assessment, but not to the competence standard being used to determine whether the student has a particular level of competence or ability.

8.3.8 Alternative assessments where there are no adjustments to the original mode of assessment which would remove the substantial disadvantage.

8.3.9 Electronic provision of teaching materials in advance of teaching sessions.

8.3.10 Permission to record teaching sessions.

8.3.11 Provision of a notetaker.

8.3.12 Provision of a support worker or assistive software for exams.

8.3.13 Provision of assessment feedback in a particular format.

8.3.14 Timetable changes, including room changes.

8.3.15 Providing some course information in advance.

8.3.16 Provision of support to use the library or other facilities.

8.3.17 Adjustments or support for a field trip or practical work (for example, in a lab, workshop or studio on campus).

8.3.18 Adjustments to university accommodation, such as the type of accommodation provided, room adaptations or permitting a student to have a therapy animal live with them.

8.4 The University will assess whether an adjustment would be reasonable to make using factors including but not limited to:

8.4.1 The medical evidence and/or other information provided by the student or applicant. The relevant support team will use the information to check that the student/applicant meets the definition of disability in the Equality Act 2010 and whether the information supports the need for the adjustment requested or being considered.

8.4.2 Whether making the adjustment would be effective in overcoming the substantial disadvantage.

8.4.3 The extent to which it is practicable for the University to make the adjustment.

8.4.4 The extent to which aids and services will otherwise be provided to the disabled student.

8.4.5 The cost of the support and/or reasonable adjustments and the resources of the whole university and the availability of financial or other assistance, such as Disabled Students' Allowances and other grants or loans.

8.4.6 Health and safety factors following a suitable and sufficient risk assessment.

8.4.7 whether making the adjustment would substantially disadvantage other students.

8.4.8 The requirements of the PSRB which accredits, recognises and approves the student's course and whether these prevent us from making a specific adjustment. Courses which may be affected in this way include (this list is not exhaustive):

8.4.8.1 Nursing and midwifery
8.4.8.2 Health care professions
8.4.8.3 Teaching
8.4.8.4 Accounting
8.4.8.5 Architecture
8.4.8.6 Law courses validated by the Solicitors' Regulation Authority and the Bar Council

8.5 The University is not required to alter the competence standards used to assess a student's competence and ability; it is only required to adjust the mode of assessment. However, the competence standards must be a genuine and

proportionate method of achieving the course aims. Where the mode of assessment itself is a genuine competence standard (for example, a time-limited assessment of giving emergency medical treatment), there is no duty for the University to make a reasonable adjustment to the mode of assessment, but it will consider other adjustments to support the student with the assessment.

8.6 If an enrolled student is receiving support from the University and a request for additional support has been made, the relevant support team may seek factual information from the student's support worker, such as what support has been provided and the progress of the student in developing strategies. Support workers are not permitted to advocate on behalf of the student in disputes about support as this constitutes a conflict of interest; the relevant support team will communicate only with the student. Where a student feels they need advocacy, they may request this from the Students' Union Advice Team.

8.7 Where a disabled student has attended a needs assessment as part of their application for Disabled Students' Allowances, recommendations made by the needs assessor about institutional support will be considered but are not binding on the University. The University is entitled to consider all the factors listed above when deciding what adjustments would be reasonable.

8.8 Where the University has decided an adjustment would not be reasonable to make (see section 9 below), it will carefully consider other adjustments which may remove the substantial disadvantage.

8.9 Section 13 of this policy explains how a student may appeal a decision by the University not to make an adjustment or provide support.

9 Reasonable Adjustments Panel

Where an adjustment or the type/amount of support requested by an applicant or student or recommended by a Disabled Students' Allowances needs assessor is not considered by the relevant support team or the student's school to be reasonable (using the factors listed at 8.4), a Reasonable Adjustments Panel (RAP) will be convened 'virtually' or in-person to

consider the request and make recommendations. Where cost is one of the factors which may mean the adjustment is not reasonable, the RAP will be convened where:

9.1 The cost of the one-to-one support or reasonable adjustment requested is not of a type that would be covered by Disabled Students' Allowances and exceeds 50% of the student's course fee (postgraduate taught courses) or 50% of the course fee for one year (undergraduate courses).

9.2 Where the cost of the one-to-one support or reasonable adjustment requested would exceed the amount that would be paid by Disabled Students' Allowances by £1,000 or more.

9. 3 The RAP membership will include:

- **Chair:** Pro Vice Chancellor Education
- **Deputy Chair:** Director of Student and Academic Services or their nominee
- Dean of the relevant School
- Head of Student Inclusion or Disability Support Manager or
- Head of Mental Health and Wellbeing
- Clerk

9. 4 For the procedure for convening a RAP and requesting a review of a decision made by the panel, please read the Reasonable Adjustments Panel Guidance.

10 Disability Support Summaries

Following assessment by the relevant support team of what academic reasonable adjustments should be made for an enrolled student, the team will aim to draw up a Disability Support Summary (DSS) within 10 working days of provision of all the required medical evidence. This document lists all recommendations related to the student's course. The student will be asked to confirm they are satisfied with the content and that the DSS will be shared with university colleagues who will be teaching and assessing them as well as course and assessment administration colleagues.

10.1 The reasonable adjustments recommended in Disability Support Summaries will be tailored to the specific activities undertaken by postgraduate taught and postgraduate research students, as we recognise that many of the activities undertaken will be different to those undertaken at undergraduate level.

10.2 Where a student has a mental health difficulty and another disability, such as a long-term health condition, the relevant support teams will work together to co-ordinate support for the student. The predominant condition will determine which team leads on co-ordinating the student's support and drawing up their Disability Support Summary, and the teams will work together to ensure the student receives appropriate support which meets their assessed needs. Relevant information (for example, information about the impact of a health condition or disability on the student's studies) will be shared between the two teams where this is necessary to implement support. Students may request that the two teams do not share information but should be aware that if consent for this is withheld, it may make it challenging to support them appropriately. Students can find out how the teams will manage their information by reading the privacy notices for both teams.

10.3 Students who provide evidence of a moderate to high possibility of having a Specific Learning Difficulty (such as dyslexia, ADHD or dyspraxia) or an autistic spectrum condition (ASC), but do not yet have a formal diagnosis, may be provided with a Disability Support Summary. Evidence may include a screening report (including one completed at the University), evidence of screening/support in a previous education setting (such as an Education, Health and Care Plan containing the required information) or a referral letter from a GP or referral service showing evidence of a referral for an autism or ADHD diagnosis.

10.4 A small number of students each year present with general learning difficulties which are not diagnosed as a Specific Learning Difficulty but are of a general nature affecting several areas of ability. Depending on the extent of the difficulties and their effect on the student, the University may consider they constitute a disability within the definition of the Equality Act 2010. In these cases, the Student Inclusion Team will assess what adjustments would be reasonable for the University to make.

10.5 The only colleagues within the University permitted to draw up and amend Disability Support Summaries are disability support colleagues within the Student Inclusion Team and the Mental Health and Wellbeing Team. All teaching and professional services colleagues working with a disabled student are required to adhere to the recommendations in their Disability Support Summary or raise a query with the relevant support team if they feel an adjustment cannot be made as described, so that an alternative adjustment can be agreed. Where this has not been done, a disabled student may make an Academic Appeal.

10.6 Only relevant staff can view a student's Disability Support Summary on the University student records system. This is usually limited to staff teaching/assessing the student, technicians working with students or course administrators. They may view a Disability Support Summary on the University student records system but should not download it or share it with colleagues by email. This safeguards confidentiality and ensures the most recent version of the Disability Support Summary is used to make adjustments.

10.7 The University believes disabled students should not have to repeatedly tell University staff about their disability during their course. Therefore, academic colleagues should not advise students that they will only get reasonable adjustments if they send their Disability Support Summary to them. However, students are welcome to send their Disability Support Summary to a tutor if they are concerned that a tutor may not be aware of it. Academic colleagues are expected to check weekly whether students they are teaching have a Disability Support Summary, and to make the reasonable adjustments recommended or seek advice from the relevant support team if they have difficulties doing so. Course Leaders and Personal Academic Tutors receive automatic notifications when a student's Disability Support Summary is created or updated.

10.8 A student's Disability Support Summary may be reviewed at any time by the relevant support team, for example, following a health change or a change to their course. The request for a review may be made by the student or by a colleague teaching them. All proposed changes will be made with the student's agreement. Some

changes requested may require the student to provide recent appropriate medical evidence for them to be considered.

10.9 Students who have a Disability Support Summary cannot normally make a claim for Extenuating Circumstances, for an assessment, based on the disability or health condition for which they have a Disability Support Summary, unless they experience a sudden and unexpected worsening of symptoms, the adjustments were put in place after any assessment falling within the current academic year or they receive a new diagnosis for a different condition and the adjustments they would be entitled to for this are different to those they already have in place.

10.10 Where a student with a Disability Support Summary has a fluctuating disability or health condition which causes unpredictable difficulties with assessment deadlines, a Fluctuating Conditions Clause may be added to their Disability Support Summary, allowing the negotiation of an extension to the assessment deadline of up to 10 additional working days. Additional medical evidence may be required to enable the relevant support team to consider whether this adjustment would be reasonable. Once added, where a student wishes to use this, they should email the request to their module leader, copying in the relevant support team so that the team is aware of the request and may provide any advice needed.

10.11 Where a disabled student must undertake compulsory work placements as part of their course, such as nursing, social work and teaching courses, they may request that a Placement Action Plan be drawn up to advise placement providers of the reasonable adjustments they may need in the placement setting. When considering what adjustments would be reasonable, the factors outlined at section 8 will be considered, as well as the limitations to adjustments which may be imposed by professional competencies the student must demonstrate on placement, including those set by the relevant PSRB. Enrolled students may request a Placement Action Plan by completing this request form.

10.12 The Disability Support Summary does not list reasonable adjustments which would be required to access other services, such as Careers and Student Opportunities and

the Students' Union. However, students may find it useful to show these services their Disability Support Summary if it helps to explain what adjustments they need when using those services. All services offered to students at the University are required to plan their services inclusively and make anticipatory adjustments as well as individual reasonable adjustments and ensure they do not discriminate against disabled students. Where a student is concerned about equity of access to a university service, they should seek advice from the relevant support team or the Students' Union Advice Team.

10.13 Where a disabled student requires specific facilities when using the library (such as priority booking of a private study room), the relevant support team will complete a Library Supportive Services Form which is shared with library colleagues.

11 Fire safety

11.1 The University has a Generic Emergency Action Plan to ensure that disabled people who cannot evacuate unassisted in an emergency have full information on what to do to keep themselves safe. Individuals who have specific requirements will have a Personal Emergency Evacuation Plan (PEEP) drawn up. Students with a mobility difficulty studying in some university buildings may need a PEEP due to the layout and facilities in the building.

11.2 Deaf Alerter pagers are available on request at all University building reception desks for use by individuals who may be unable to hear the building alarm in the event of an emergency evacuation. The Building Installations and Arrangements Summary on the BCU intranet provides staff and enrolled students with an overview of specific arrangements in each building.

12 Funding for disability support at university

12.1 Undergraduate and postgraduate (taught and research) UK disabled students are usually entitled to apply for Disabled Students' Allowances, This includes part-time students and students on modular courses. Disabled Students' Allowances are non-means-tested

grants, to help with the additional costs of being a disabled student. Disabled Students' Allowances are administered by the student's funding body. Support recommendations are made by a Needs Assessor external to the funding body and the student's university, and may include:

12.1.1 specialist equipment, for example a computer and specialist software.
12.1.2 non-medical helpers, for example a British Sign Language interpreter, Study Skills Tutor or Mentor.
12.1.3 extra disability-related travel costs.
12.1.4 other disability-related study support, for example printing costs.

12.1 Students not eligible for DSA include:

12.1.1 International students including students attending Birmingham City University International College.
12.1.2 EU students eligible for fee support only.
12.1.3 Students studying on a BCU course outside the UK,
12.1.4 Students on courses of less than one year's duration.
12.1.5 Students completing less than 25% of their course each year.
12.1.6 Students on a temporary withdrawal (interruption), who have suspended their studies or who have assessments to complete but are not attending teaching (assessment-only).
12.1.7 Students on salaried teaching training programmes; Access to Work funding may be available.
12.1.8 Students on Degree Apprenticeship courses; they are entitled to disability support funded by a fund administered by the Department for Education. Students on Degree Apprenticeship courses do not have to apply for this funding themselves but are required to engage with the relevant support team to enable full assessment of their support requirements.
12.1.9 Students for whom the University has made reasonable adjustments because they have not been diagnosed with a Specific Learning Difficulty (which would entitle them to DSA) but whom the University considers are disabled due to general learning difficulties (which do not entitle them to

DSA), if this is their only difficulty and they have no other disability or health condition which might make them eligible for DSA. Where these students need support which has a cost attached, the University will consider whether it is reasonable for it to fund the support, using the factors outlined at section 8.4.

12.2 The steps of applying for DSA, being assessed for support to be funded and using the agreed support (such as ordering equipment), are external to the University. The disabled student/applicant is responsible for making the application and completing the required stages. However, the relevant support team will provide support and guidance throughout the process, including to BCU offer-holders prior to enrolment. The University recognises that it is in every disabled student's best interest to access all the support to which they are entitled and is committed to helping them do so.

12.3 Where, during the University's assessment of a disabled student's needs, we identify support requirements that may be funded via DSA, the disabled student will be required to apply for DSA to fund this support. The University is not obliged to fund support that may be funded by DSA.

12.4 Where, during the University's assessment of a disabled student's needs, we identify support requirements that are not funded by DSA or the student is not eligible for DSA or other funding, we will consider whether it would be reasonable for the University to provide the support using the factors outlined at section 8.4. Where the relevant support team or the student's school considers that a requested or recommended adjustment or support may not be reasonable for the University to provide, the procedure the University will follow is outlined at section 13. Where the University decides that providing the support would be reasonable, the student's school may be required to fund some or all the support.

12.5 Where a student applying for Disabled Students' Allowances (DSA) is awarded computer equipment (usually a laptop), they are required by the funding body to contribute £200 towards the cost before ordering the equipment. Therefore, enrolled students who have been awarded a DSA computer, and cannot afford to make the

£200 contribution, may make a non-means tested application to the University's DSA Computer Support Fund to receive the £200 prior to ordering their DSA-funded computer. The application to the fund must be made in the academic year that the student is recommended the laptop. Once awarded, this money must be used by the student to order their DSA-funded computer. This facility is subject to money remaining in the fund at the time of application. Other conditions also apply, and further information can be found at DSA Computer Support Fund or by asking the relevant support team.

13 Complaints and appeals

13.1 A disabled applicant to the University who wishes to complain about the application process, including matters relating to reasonable adjustments to the application process, should refer to the Admissions Complaints Procedure.

13.2 Where an enrolled student wishes to raise a concern about their disability or mental health support, they should initially discuss the matter with their adviser in the relevant support team, so that an informal resolution can be sought. This may include concerns about their one-to-one support, an apparent failure to make an agreed reasonable adjustment, or a decision by the University not to make a particular adjustment or provide a particular type of support.

13.3 Where the matter relates to an apparent failure to make an agreed reasonable adjustment, if this cannot be informally resolved, the student may make an Academic Appeal. Support to do this is available from the Students' Union Advice Team. The Academic Appeals procedure can be found on the Student Contract page on the BCU website.

13.4 For other matters, where the matter is not resolved to the student's satisfaction, they may make a formal complaint using the University's Student Complaints Procedure. Support to do this is available from the Students' Union Advice Team. Where a decision not to make a particular reasonable adjustment or provide a particular type or level of support has been made by the Reasonable Adjustments Panel (RAP, see

section 9 above), and the student wishes to appeal this decision, the student will not be required to use the University's Student Complaints Procedure. They will have a right of appeal to the University Secretary. The University Secretary is a member of the Vice-Chancellor's Office and is responsible for all matters of governance, and legal and statutory compliance.

13.5 Where the applicant or student is not satisfied with the decision of the Reasonable Adjustments Panel, which they will receive in writing within 10 working days of the panel, they may request a review of the decision by the University Secretary or an appropriately qualified and senior member of staff nominated by the University Secretary. The decision letter will explain how to request a review. The University Secretary is a member of the Vice-Chancellor's Office and is responsible for all matters of governance, and legal and statutory compliance. Where the University Secretary, or their nominee, upholds the RAP decision, the student will be issued with a Completion of Procedures letter (a CoP) and will be advised about their right to make a complaint to the Office for the Independent Adjudicator. Applicants will receive a copy of the University Secretary's decision but will not receive a formal CoP because the OIA does not consider complaints associated with admissions decisions.

13.6 The procedure for the convening of a Reasonable Adjustments Panel is available on the BCU website: Reasonable Adjustments Panel Guidance.

13.7 Where a student, who is eligible for DSA from Student Finance England (SFE), wishes to appeal a decision by the University not to provide support recommended by the DSA needs assessor but which SFE has refused to fund, they may use the SFE Exceptional Case Process. This process enables the student to appeal the University decision whilst requesting that SFE fund the support in dispute whilst the University reviews its decision. The Student Inclusion Team will provide the student with full information about this process if relevant. The student may approach the Students' Union Advice Team for support with this process.

13.8 In any relevant matter where a disabled student has exhausted the University's internal procedures and (where relevant) the Exceptional Case Process described at

section 13.7, they will have the opportunity to make a complaint to the Office of the Independent Adjudicator.

Appendix – Data Protection Legal Background

To process personal data related to the topics within scope of this policy, data protection laws require BCU to identify a lawful basis from Article 6 of the UK General Data Protection Regulation (UK GDPR). The lawful basis will often be 'legal obligation' as the Equality Act 2010 dispenses certain duties upon Birmingham City University. In some situations, the lawful basis of 'for the performance of contract', 'public tasks', 'legitimate interests', 'vital interests' will apply.

Where special category data (such as health data) is processed, a condition of processing must also be identified. The condition for processing is 'for reasons of substantial public interest' under Article 9(2)(g). The relevant substantial public interest condition under Schedule 1, Part 2 of the Data Protection Act 2018 is 'for support for individuals with a particular disability or medical condition' under paragraph 16. The name of the condition 'substantial public interest' does not mean that the information is made publicly available. Instead, it means that it is in the good of society (i.e. it's in the public good) that organisations can use such information to support people with particular disabilities or medical conditions.

Where no other lawful basis or condition of processing applies, BCU will ask for the individuals' consent. The above means that, where we do not need to, we will not ask for consent to process this information. However, we will still treat the information with sensitivity. 'Processing' means collecting, storing, using, sharing and deleting persona data.

Purpose of this Document: To explain the University's responsibilities towards disabled applicants, enrolled students and graduates, what support is available to them and how the University makes decisions about what support will be provided and whether a requested or recommended adjustment is reasonable for the University to make.

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Head of Mental Health and Wellbeing

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